

ion time is needed to apprise all Members as to the status of the measure.

On Mar. 15, 1955,⁽¹⁾ during the call of the Consent Calendar of the joint resolution (H.J. Res. 107) to release United States reversionary rights to school land in California, Mr. Paul Cunningham, of Iowa, made the following remarks:

. . . (T)he Members of the Consent Calendar objectors committee are not here to obstruct the passage of the legislation nor to interfere with the proper consideration or passage of the bill of any Member. On the contrary, our purpose is, in addition to what the gentleman from North Carolina has already said, to expedite the passage of legislation, at the same time protecting Members from having bills passed by unanimous consent that should not be passed by unanimous consent. . . . Therefore, we have at times asked unanimous consent to pass over bills without prejudice when we were not opposed to the bill at all and would personally vote for it if it came up under a rule. However, the Members of the objectors committee feel that time should be given so that all of the Members of the House can be fully apprised of what is happening or what may happen.⁽²⁾

eration the next time the measure is called on the Consent Calendar. See 7 Cannon's Precedents §1000.

1. 101 CONG. REC. 2931, 84th Cong. 1st Sess.
2. For a similar statement of the purpose of passing over without preju-

§ 8.7 A bill called on the Consent Calendar has been passed over without prejudice at the Speaker's request.

On Apr. 4, 1966,⁽³⁾ at the call on the Consent Calendar of the resolution (H.J. Res. 837) to authorize the President to proclaim State and Municipal Bond Week, the Speaker⁽⁴⁾ asked that the resolution be passed over without prejudice. There was no objection.

§ 9. Debate; Amendment of Measures

Consideration as in Committee of the Whole

§ 9.1 Parliamentarian's Note: Bills (and amendments thereto) on the Consent Calendar (if also pending on the Union Calendar) are considered in the House as in the Committee of the Whole under the five-minute rule (§§ 9.3, 9.4, *infra*). However, where a bill is on the House Calendar and is considered on the Consent Calendar, or where

dice see the remarks of Mr. Wayne N. Aspinall (Colo.) at 103 CONG. REC. 2249, 85th Cong. 1st Sess., Feb. 19, 1957.

3. 112 CONG. REC. 7482, 89th Cong. 2d Sess.
4. John W. McCormack (Mass.).

a Union Calendar bill or any bill requiring consideration in Committee of the Whole is considered by unanimous consent and the request includes a stipulation that the bill be considered in the House, it is considered under the “hour rule” and no amendments are in order except by the Member calling up the bill or unless the previous question is rejected.

§ 9.2 Where the House, during the call of the Consent Calendar, grants unanimous consent for the immediate consideration of a Union Calendar bill it is considered in the House as in Committee of the Whole, and any Member may offer a germane amendment.

On Aug. 3, 1970,⁽⁵⁾ during the call on the Consent Calendar of the bill (H.R. 9804), to authorize the construction of supplemental irrigation facilities for an irrigation district, Mr. John P. Saylor, of Pennsylvania, raised a parliamentary inquiry as to whether it would be in order to offer an amendment to the bill.

The Chair responded:

5. 116 CONG. REC. 26981, 91st Cong. 2d Sess.

THE SPEAKER:⁽⁶⁾ If the bill comes up by unanimous consent, an amendment would be in order because the bill then would be before the House (as in Committee of the Whole) for consideration.

Scope of Debate

§ 9.3 In the consideration of bills on the Consent Calendar there may be debate under the five-minute rule, but such debate must be confined to the bill.

On May 3, 1948,⁽⁷⁾ during consideration of a bill (S. 1545) for the construction of a bridge and roads in Colonial National Historical Park, Yorktown, Va., the debate strayed to partisan national issues. On objection, the Chair⁽⁸⁾ ruled that such debate was out of order, but allowed such debate to continue by unanimous consent for a limited period.

Application of Five-minute Rule

§ 9.4 Debate on an amendment to a bill on the Consent Calendar is under the five-minute rule.

On July 30, 1955,⁽⁹⁾ during consideration of the bill on the Con-

6. John W. McCormack (Mass.).

7. 94 CONG. REC. 5198, 80th Cong. 2d Sess.

8. Joseph W. Martin, Jr. (Mass.).

9. 101 CONG. REC. 12408, 12409, 84th Cong. 1st Sess.

sent Calendar (H.R. 6857) to authorize the conveyance of certain land to the city of Milwaukee, Wis., Mr. Clare E. Hoffman, of Michigan, offered an amendment. The Speaker⁽¹⁰⁾ recognized the gentleman for five minutes in support of his amendment.

Offering Amendments

§ 9.5 Unanimous consent is not required to offer an amendment to a Union Calendar bill on the Consent Calendar which is being considered by unanimous consent in the House as in the Committee of the Whole under the five-minute rule.

On Aug. 3, 1970,⁽¹¹⁾ during consideration on the Consent Calendar of the bill (H.R. 9804), to authorize the construction of certain irrigation facilities, Mr. John P. Saylor, of Pennsylvania, announced his intention to offer an amendment.

Mr. Harold T. Johnson, of California, then raised a parliamentary inquiry as to whether Mr. Saylor must obtain unanimous consent to offer his amendment.

The Chair responded as follows:

THE SPEAKER:⁽¹²⁾ The Chair will state that if unanimous consent is

granted for the consideration of the House bill . . . then the matter would be before the House (as in Committee of the Whole) under the five-minute rule.

Advance Notice of Amendments

§ 9.6 In considering bills on the Consent Calendar, it is the practice of those Members desiring to offer material amendments to give notice of their intentions before consent is granted for the consideration of the measure.

On Feb. 1, 1932,⁽¹³⁾ during consideration of a bill to expand McKinley National Park, Mr. James Wickersham, the Delegate from Alaska, offered an amendment that was objected to on the grounds that no prior notice of the amendment had been given. The Chair made the following statement:

THE SPEAKER:⁽¹⁴⁾ The Chair will make this statement: It has been customary for gentlemen asking unanimous consent for the consideration of a bill to give notice to the House if they propose to offer a material amendment so that the House may have knowledge of the amendment and give consent to the consideration of the amendment as well as to the bill; otherwise a bill

10. Sam Rayburn (Tex.).

11. 116 CONG. REC. 26982, 91st Cong. 2d Sess.

12. John W. McCormack (Mass.).

13. 75 CONG. REC. 1610, 72d Cong. 1st Sess.

14. John N. Garner (Tex.).

could be called up and amendments could be offered which would be very material and far-reaching in their nature. The Chair thinks that notice should be given before consent is given for the consideration of a bill, that amendments will be proposed, so that the membership of the House may have knowledge of what is coming up.

So the Chair suggests to the Delegate from Alaska that he either withdraw his amendment or allow the bill to go over so that the matter may be considered on the next consent day.

Recommitting Amended Bill

§ 9.7 A bill on the Consent Calendar, having been considered and amended, was by motion recommitted to committee.

On Apr. 4, 1949,⁽¹⁵⁾ during consideration of a bill (H.R. 1823) on the Consent Calendar to establish a Women's Reserve as a branch of the Coast Guard Reserve, Mr. Vito Marcantonio, of New York, offered an amendment to prohibit segregation or discrimination in such reserve.

The amendment was agreed to.

Mr. Herbert C. Bonner, of North Carolina, offered a motion to recommit the bill.

The motion was agreed to.

Striking Enacting Clause

§ 9.8 The enacting clause of a bill on the Consent Calendar

15. 95 CONG. REC. 3806, 3807, 81st Cong. 1st Sess.

was stricken after consideration had been granted to such bill.

On Dec. 19, 1932,⁽¹⁶⁾ Mr. Fiorello H. LaGuardia, of New York, moved, after the time for objection had passed, that the enacting clause be stricken from a bill on the Consent Calendar providing for the construction of a bridge over the Mississippi River.

The motion was agreed to.

Raising Point of Order

§ 9.9 A point of order that a committee report on a bill does not comply with the Ramseyer rule⁽¹⁷⁾ will not lie when such bill is called on the Consent Calendar until consideration of such bill is granted.

On Dec. 15, 1941,⁽¹⁸⁾ Mr. John J. Cochran, of Missouri, made the point of order during the call for objections that the bill (H.R. 4648), for the construction of water conservation projects, did not comply with the Ramseyer rule.

The Chair replied:

16. 76 CONG. REC. 695, 696, 72d Cong. 2d Sess.

17. Rule XIII clause 3, *House Rules and Manual* § 745 (1981).

18. 87 CONG. REC. 9799, 9800, 77th Cong. 1st Sess.

THE SPEAKER PRO TEMPORE:⁽¹⁹⁾ The gentleman's point of order is premature, inasmuch as the bill is not

now before the House for consideration. The Chair overrules the point of order.

C. PRIVATE CALENDAR; PRIVATE BILLS

§ 10. In General

Taken up here are the procedures involved in the consideration and passage of private bills. The nature and form of private bills as legislation are treated in Chapter 24, *infra*.

Where a bill affects an individual, individuals, corporations, institutions, and so forth, it should and does go to the Private Calendar. Where it applies to a class and not to individuals as such, it then becomes a general bill and would be entitled to a place on the Consent Calendar. See § 7.3, *supra*.

§ 11. Calling Up

The Private Calendar is called on the first and third Tuesdays of the month. It is mandatory on the first Tuesday and discretionary

with the Speaker on the third Tuesday.⁽²⁰⁾

Individual private bills have been considered at other times by special order or by unanimous consent.⁽¹⁾ The call of the Private Calendar itself has by unanimous consent been transferred to other days⁽²⁾ or dispensed with altogether due to other pressing House business.⁽³⁾

Omnibus private bills are numerous private bills grouped together under one bill number for consideration and passage and resolved into individual bills for presentation to the President or transmittal to the Senate. They have precedence on the third Tuesday, and are not in order on the first Tuesday.⁽⁴⁾

Under the rule the Private Calendar is called on the first and third Tuesdays “. . . after the disposal of such business on the Speaker's table as requires ref-

19. William M. Whittington (Miss.).

20. See Rule XXIV clause 6, *House Rules and Manual* § 893 (1981)

1. See § 11.5, 11.7, *infra*.

2. See § 11.8, *infra*.

3. The Private Calendar was dispensed with during the week of consideration of the Civil Rights Act of 1963. 110 CONG. REC. 1552, 88th Cong. 2d Sess., Jan. 31, 1964.

4. See §§ 11.1, 11.2, *infra*.